


Notice of Allowability	Application No. 09/224,214	Applicant(s) HIETT	
	Examiner Brenda Pham	Art Unit 2884	

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the Initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/13/20
2. ☒ The allowed claim(s) is/are 1, 3, 6-10, 13-17, renumbering as 1-12, respectively.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

6. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
8. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No. 7
 - (b) ☐ Including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) ☐ Including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____

Identifying initials such as the application number (see 37 CFR 1.84(e)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<ol style="list-style-type: none"> 1 <input type="checkbox"/> Notice of References Cited (PTO-892) 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____ 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 8 <input type="checkbox"/> Other 	<ol style="list-style-type: none"> 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ 6 <input type="checkbox"/> Examiner's Amendment/Comment 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
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Application/Control Number: 09/224,214

Page 2

Art Unit: 2664

REASONS FOR ALLOWANCE

1. Claims 1, 3, 6-10 and 13-17 are allowed. Claims 2, 4, 5, 11 and 12 have been canceled.
2. The following is an examiner's statement of reasons for allowance: the prior art made of record does not teach or fairly suggests in combination a data communications system for retrieving data information, said data communications system comprising: a data source comprising a network system for the storage and delivery of the data information; an information request system comprising a transmission unit coupled to said data source and adapted to request the data information from said data source wherein said transmission unit comprises a satellite data unit and a radio frequency unit; a first communication medium configured for transmission of requests for the data information from the information request system to said data source, said first communication medium comprising: an aeronautical satellite system and a ground station, wherein said aeronautical satellite system is adapted to transmit data information requests from said satellite data unit to said ground station, said ground station being coupled to said network system to facilitate the transferring of said data information requests to said network system; and a radio ground station adapted to receive information request signals from said radio frequency unit, wherein said radio ground station is adapted to transmit data information requests from said radio frequency unit to said network system; a second communication medium comprising a direct broadcast satellite adapted to receive data information from said data source and to broadcast said data information to said receiver; a receiver coupled to said data source by said second communication medium and adapted to receive the data information requested by said information request system from said data source; and wherein said information request system is configured

Application/Control Number: 09/224,214

Page 3

Art Unit: 2664

to select one of said aeronautical satellite system and said radio ground station from said first communication medium for transmission of data information requests.

The prior art made of record fails to teach in combination a method for providing and controlling data communications from a direct broadcast system to a passenger carrier, said method comprising the steps of: transmitting data information requests from an information request system to a ground station, said transmitting of data information requests provided through one of satellite transmission signals and radio transmission signals by way of selection between one of a satellite data unit and a radio frequency unit; transmitting the data information requests from said ground station to said direct broadcast system through a network system; accessing data information corresponding to the data information request from said direct broadcast system; transmitting the data information from said direct broadcast system to a direct broadcast satellite; and broadcasting the data information from said direct broadcast satellite to a receiver provided onboard said passenger carrier.

The prior art made of record fails to teach a data communications system for a passenger carrier, said system comprising: a transmission unit comprising a satellite data unit and a radio frequency unit, located on board said passenger carrier and operatively connected to a user interface, said transmission unit being configured to select one of said satellite data unit and said radio frequency unit for transmission of the information request signals, said satellite frequency unit configured for providing satellite transmission signals to an aeronautical satellite system, said aeronautical satellite system being adapted to provide the information request signals to said ground station, and said radio frequency unit for providing radio transmission signals to said

Application/Control Number: 09/224,214

Page 4.

Art Unit: 2664

ground station, and said radio frequency unit for providing radio transmission signals to said ground station, wherein said ground station is adapted to receive the radio transmission signals and transmit said signals to said ground network; a ground station for receiving information request signals from said transmission unit; a direct broadcast system for providing data information; a ground network for linking said ground station and said direct broadcast system to facilitate communications; a direct broadcast satellite, said direct broadcast satellite adapted to interface and communicate with said direct broadcast system; a receiver located onboard said passenger carrier and adapted to receive data signals broadcast from said direct broadcast satellite, said receiver being operatively connected to said user interface to facilitate the transmission of said data information from said direct broadcast system to passengers.

The prior art fails to in combination a data communications system for retrieving data information, said data communications system comprising: a data source comprising a network system for the storage and delivery of the data information; an information request system comprising a transmission unit coupled to said data source and adapted to request the data information from said data source, wherein said transmission unit comprises a satellite data unit, a radio frequency unit, and a wireless LAN unit; a first communication medium configured for transmission of requests for the data information from the information request system to said data source, said first communication medium comprising: an aeronautical satellite system and a ground station, wherein said aeronautical satellite system is adapted to transmit data information requests from said satellite data unit to said ground station, said ground station being coupled to said network system to facilitate the transferring of said data information requests to said network

Application/Control Number: 09/224,214

Page 5

Art Unit: 2664

system; and a radio ground station adapted to receive information request signals from said radio frequency unit, wherein said radio ground station is adapted to transmit data information requests from said radio frequency unit to said network system; and a LAN ground station adapted to receive information request signals from said wireless LAN unit, wherein said LAN ground station is adapted to transmit data information requests from said wireless LAN unit to said network system, and said network system is adapted to transfer information requests signals to said data source; a second communication medium comprising a direct broadcast satellite adapted to receive data information from said data source and to broadcast said data information to said receiver; a receiver coupled to said data source by said second communication medium and adapted to receive the data information requested by said information request system from said data source; and wherein said information request system is configured to select one of said aeronautical satellite system, said radio ground station and said LAN ground station from said first communication medium for transmission of data information request.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on statement of Reasons for Allowance."

Application/Control Number: 09/224,214

Page 6

Art Unit: 2664

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (703) 308-0148. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Brenda Pham
June 13, 2002


WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

EXHIBIT 9

PAGE 96



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20591
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

128 7590 36/11/2002
HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER	
FRAM, BRENDA H	
ART UNIT	CLASS/SUBCLASS
2664	370-316000

DATE MAILED: 06/17/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,214	12/30/1998	JOHN H. HIRT	A62-35263-U9	1942

TITLE OF INVENTION: APPARATUS AND METHOD FOR DATA COMMUNICATIONS

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	06/17/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPFP 1306.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-35B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Page 1 of 3

PTOL-35 (REV. 04-02) Approved for use through 01/31/2004.

EXHIBIT 9
PAGE 97

PART D - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Box ISSUE FEE
 Commissioner for Patents
 Washington, D.C. 20231
 Fax (703)746-4899

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless directed below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Print clearly, including zip code and state or country)

128 7590 06/11/2002

HONEYWELL INTERNATIONAL INC.
 101 COLUMBIA ROAD
 P O BOX 2245
 MORRISTOWN, NJ 07962-2245

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,214	12/30/1998	JOHN H. HIRTT	A42-25262-US	3912

TITLE OF INVENTION: APPARATUS AND METHOD FOR DATA COMMUNICATIONS

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1250	\$0	\$1250	09/17/2002

EXAMINER	AUT UNIT	CLASS-SUBCLASS
PHAM, BRENDA H	2664	370-316000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the name of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no names are listed, no names will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
☐ Publication Fee
☐ Advances Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is limited to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004. OMB 0631-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

EXHIBIT
 PAGE

9

98



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,214	12/30/1998	JOHN H. HIETT	AS2-25262-US	3982
128	7590	06/17/2002	EXAMINER	
HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245 UNITED STATES				
			PHAM, BRENDA H	
			ART UNIT	PAPER NUMBER
			264	
DATE MAILED: 06/17/2002				

Determination of Patent Term Extension under 35 U.S.C. 154 (b)
 (application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)